THE HONOURABLE MRS. JUSTICE T. MEENA KUMARI
AND
THE HON'BLE MR. JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No. 26776 of 2007

ORAL ORDER:
(Per T. Meena Kumari, J)

The Writ Petition is filed seeking stay of collection of the disputed tax of Rs. 5,94,178/- for the assessment year 2001-2002 under the APGST Act arising in pursuance of the dismissal of the stay application by the Sales Tax Appellate Tribunal, pending disposal of the appeal.

The learned counsel for the petitioner further submits that the petitioner has preferred a stay petition before the Sales Tax Appellate Tribunal and the stay petition has been dismissed by the Sales Tax Appellate Tribunal. Challenging the said rejection, the present Writ Petition has been filed.

It is further submitted by the learned counsel for the petitioner that the total amount has been paid, if no stay is granted, the petitioner would be put to irreparable loss.

Heard the learned Spl. Standing Counsel for Commercial Taxes.

In view of the facts and circumstances of the case, it would suffice if stay is granted subject to payment of 50% of the total amount of disputed tax of Rs. 5,94,178/-.

Accordingly, the Writ Petition is disposed of. However, pending disposal of the appeal before the Sales Tax Appellate Tribunal, stay is granted subject to payment of 50% of the disputed tax of Rs. 5,94,178/- and the same shall be deposited before the 3rd respondent within a period of six weeks from today. It is made

clear that if any amount is already paid by the petitioner towards the disputed tax, the same shall be given credit to the 50% of the tax now to be deposited.

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T. MEENA KUMARI, J

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C.V. NAGARJUNA REDDY, J

19.12.2007

N.B.
C.C. by 26.12.2007
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